

## **Exhibit A**



18-23538-shl Doc 34

**CERTIFIED MADE**

56:32 Exhibit A

23240 Chagrin Blvd., Suite 410  
Cleveland, Ohio 44122

**RETURN SERVICE REQUESTED**



9171 9690 0935 0211 9940 41

## REFERENCES

Digitized by srujanika@gmail.com

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\$100.00

210 4512

049M11202309

GARLLY ASSOCIATES LIMITED PARTNERSHIP

Attn: Facilities

477 South Rosemary Avenue 301  
West Palm Beach FL 33401

33001-33700 00027

**PRELIMINARY NOTICE**

April 16, 2019

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

FROM:	<b>RYAD CONSULTING INC</b> 10421 Big Canoe Jasper, GA 30143 Attn: Randy May, CFO Tel: 770/650-8468 Fax:	
TO:	<b>GARLLY ASSOCIATES LIMITED PARTNERSHIP</b> Attn: Facilities 477 South Rosemary Avenue 301 West Palm Beach FL 33401	9171 9690 0935 0211 9940 41
TO:	<b>GARLLY ASSOCIATES LIMITED PARTNERSHIP</b> c/o Greylake Capital Advisors 777 West Putnam Avenue 1 <sup>st</sup> FL Greenwich CT 06830	9171 9690 0935 0211 9940 58
TO:	<b>UNITED STATES CORPORATION COMPANY</b> Agent for GARLLY ASSOCIATES LIMITED PARTNERSHIP 211 East 7th Street 620 Austin TX 78701-3218	9171 9690 0935 0211 9940 65
TO:	<b>SEARS HOLDINGS CORP SLS INC</b> Attn: Mike Mackie 333 Beverly Road Dept A3-259B Hoffman Estates IL 60179-0001	9171 9690 0935 0211 9940 72
TO:	<b>SEARS PROCUREMENT SERVICES INC</b> 4849 Greenville Avenue 1000 Dallas TX 75206-4166	9171 9690 0935 0211 9940 89
TO:	<b>SEARS DC</b> c/o CONDUENT Sears Disbursements PO P O Box 30680 Salt Lake City UT 84130	9171 9690 0935 0211 9940 96

Ladies/Gentlemen:

In order to comply with the Revised Civil Statutes of Texas, Notice is hereby given that **RYAD CONSULTING INC**, has provided materials and/or labor at the request of **SEARS HOLDINGS CORP SLS INC**, for use in the following described real property:

Sears, 2775 West Miller Road  
City of Garland, County of Dallas, State of Texas  
PIN 26-51330-001-01R-0000

**RYAD CONSULTING INC** supplied the following materials and/or labor: (engineering consulting) for use in the construction/improvement of the above project. The materials and/or labor were furnished during the month(s) of January, 2019.

The balance due, or to become due, for the above materials and/or labor furnished is \$7,978.19. In order for our rights to be preserved, it is necessary that we inform you that if the aforementioned sum should not be otherwise paid or settled, you may be personally liable and your property subjected to a Lien unless you take the precaution of withholding funds sufficient to pay that sum from payments due to your original contractor.

Pg. 4 of 10

Our claim has accrued under the Sections 53.053 and/or 53.083 of the Texas Property Code and is past due under the terms of our contract. Notice is hereby given to you that **RYAD CONSULTING INC** will be compelled to assert its statutory and constitutional lien rights against the Project through the filing of Affidavits Claiming a Lien should this debt not otherwise be paid in full without further delay.

Also, please consider this as a formal request that we be notified of the filing of any Affidavits of Completion with regard to this project.

**THIS NOTICE IS BEING SENT MERELY TO COMPLY WITH STATE LAW AND SHOULD NOT BE CONSTRUED AS A REFLECTION ON THE INTEGRITY OR CREDITWORTHINESS OF ANY OF THE PARTIES INVOLVED.**

Sincerely,  
**RYAD CONSULTING INC**

Date: April 16, 2019

By:

  
Michael C. Brown, Authorized Agent

#### **SWORN STATEMENT OF ACCOUNT**

Acting in the capacity of Authorized Agent for **RYAD CONSULTING INC**, I, Michael C. Brown, make this Affidavit and on oath, state that to the best of my knowledge and belief, **RYAD CONSULTING INC**, is owed or will be owed the amount of \$7,978.19 for materials and/or labor furnished during the month(s) of January, 2019, to **SEARS HOLDINGS CORP SLS INC** in connection with the project known as **Sears, 2775 West Miller Road, City of Garland, County of Dallas, State of Texas, PIN 26-51330-001-01R-0000**, and that said amount is just and correct, and that all just and lawful offsets, payments and credits known to me have been allowed.

**RYAD CONSULTING INC**

By:

  
Michael C. Brown, Authorized Agent

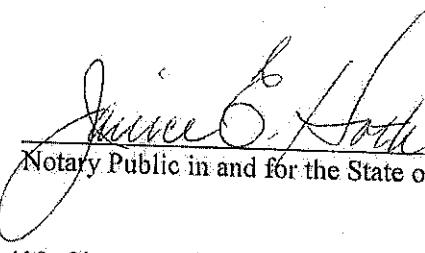
SWORN TO AND SUBSCRIBED before me by the said Michael C. Brown, this 16 April, 2019, to certify which witness my hand and seal of office.



JANICE E. HOTH

NOTARY PUBLIC  
STATE OF OHIO

My Comm. Exp.  
October 1, 2022

  
Janice E. Hoth  
Notary Public in and for the State of Ohio

This instrument prepared by:

Michael C. Brown, MCC, 23240 Chagrin Blvd 410, Cleveland, OH 44122, (216) 464-670

591506



# LienMaster®

Consultants to the Construction Industry

23240 Chagrin Blvd., Suite 410  
Cleveland, Ohio 44122  
Tel: (216) 464-6700  
Fax: (216) 464-3840  
[www.lienmaster.com](http://www.lienmaster.com)  
[info@lienmaster.com](mailto:info@lienmaster.com)

April 16, 2019 VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FROM: **RYAD CONSULTING INC**  
10421 Big Canoe  
Jasper GA 30143

TO: **GARLLY ASSOCIATES LIMITED PARTNERSHIP**  
Attn: Facilities  
477 South Rosemary Avenue 301  
West Palm Beach FL 33401 9171 9690 0935 0211 9940 41

TO: **GARLLY ASSOCIATES LIMITED PARTNERSHIP**  
c/o Greyhawke Capital Advisors  
777 West Putnam Ave 1st FL  
Greenwich CT 06830 9171 9690 0935 0211 9940 58

TO: **UNITED STATES CORPORATION COMPANY**  
Agent for GARLLY ASSOCIATES LIMITED PARTNERSHIP  
211 East 7th Street 620  
Austin TX 78701-3218 9171 9690 0935 0211 9940 65

TO: **SEARS HOLDINGS CORP SLS INC**  
Attn: Mike Mackie  
333 Beverly Road Dept A3-259B  
Hoffman Estates IL 60179-0001 9171 9690 0935 0211 9940 72

TO: **SEARS PROCUREMENT SERVICES INC**  
4849 Greenville Avenue 1000  
Dallas TX 75206-4166 9171 9690 0935 0211 9940 89

TO: **SEARS DC**  
c/o CONDUENT  
Sears Disbursements PO  
P O Box 30680  
Salt Lake City UT 84130 9171 9690 0935 0211 9940 96

RE: Claimant: **RYAD CONSULTING INC**  
Project: Sears Garland (TX)  
Amt Due: **\$7,978.19**  
Our File: **591506**

Ladies/Gentlemen:

Pursuant to Chapter 53 of the Property Code of the Revised Civil Statutes of Texas, Notice is hereby given of the claim of **RYAD CONSULTING INC**, an Ohio corporation, in the sum set out in the Mechanic's and Materialman's Lien Affidavit and Claim attached hereto, for materials furnished to **SEARS HOLDINGS CORP SLS INC** with regard to said project, said materials having been used for improvements on the real property as described in the Lien Affidavit.

We are informed and believe that the above-mentioned project is located on real property owned by **GARLLY ASSOCIATES LIMITED PARTNERSHIP**, and **SEARS DC**.

The materials furnished by **RYAD CONSULTING INC** for use in construction on the aforesaid real property consist of engineering consulting as set forth in the Mechanic's and Materialman's Lien Affidavit and Claim.

In order to fully protect our client's interests in the payment of this indebtedness, a Lien is hereby claimed and asserted, and a Mechanic's and Materialman's Lien Affidavit and Claim identical to the one enclosed, is being filed with the County Clerk of **Dallas** County, Texas.

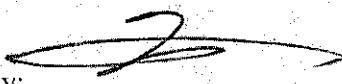
A copy of the Mechanic's and Materialman's Lien Affidavit and Claim claiming said Lien is enclosed herewith to you, as owner, pursuant to Chapter 53 of the Property Code of the Revised Civil Statutes of Texas.

Our claim has accrued under the Sections 53.053 and/or 53.083 of the Texas Property Code and is past due under the terms of our contract. Notice is hereby given to you that **RYAD CONSULTING INC** will be compelled to assert its statutory and constitutional lien rights against the Project through the Lien Affidavit should this debt not otherwise be paid in full without further delay.

As required by Chapter 53 of the Property Code of the Revised Civil Statutes of Texas, you are hereby notified as owner(s) of the property being improved that, if this bill remains unpaid, you may become personally liable and your property subject to the Lien, unless you withhold payments from the contract for payment of this claim or unless the bill is otherwise paid or settled.

Very truly yours,  
**RYAD CONSULTING INC**

By:

  
Michael C. Brown  
Authorized Agent

DATE: April 16, 2019

MCB:jh  
Encl.

STATE OF OHIO ] [ MICHAEL C. BROWN  
COUNTY OF CUYAHOGA ] [ AS AGENT FOR  
                        ] [ RYAD CONSULTING INC

BEFORE ME, the undersigned authority, on this day did personally appear MICHAEL C. BROWN ("Affiant"), who, being by me first duly sworn, states as follows:

1. "The Affiant is the Agent of **RYAD CONSULTING INC**, 10421 Big Canoe, Jasper GA 30143, an Ohio corporation, and that he is authorized to make this Affidavit on behalf of the said **RYAD CONSULTING INC**, hereinafter called 'Claimant'."
2. "That the Affiant has personal knowledge of the facts set forth in this Affidavit and is not disqualified from making this Affidavit or giving testimony therein."
3. "That the Claimant has furnished materials and/or labor to improve the property herein described."
4. "That **GARLLY ASSOCIATES LIMITED PARTNERSHIP**, Attn: Facilities, 477 South Rosemary Avenue 301, West Palm Beach FL 33401, and **GARLLY ASSOCIATES LIMITED PARTNERSHIP** c/o Greyhawke Capital Advisors, 777 West Putnam Ave 1st FL, Greenwich CT 06830 the owner(s) or reputed owner(s), and **SEARS HOLDINGS CORP SLS INC**, Attn: Mike Mackie, 333 Beverly Road Dept A3-259B, Hoffman Estates IL 60179-0001, and **SEARS PROCUREMENT SERVICES INC**, 4849 Greenville Avenue 1000, Dallas TX 75206-4166, and **SEARS DC**, c/o CONDUENT, Sears Disbursements PO, P O Box 30680, Salt Lake City UT 84130, reputed Lessee(s) of the real property herein described and the improvements located thereon."
5. "That **RYAD CONSULTING INC**, 10421 Big Canoe, Jasper GA 30143 is the prime contractor on the job or that portion thereof for which the hereinafter materials and/or labor were furnished."
6. "That said materials and/or labor were furnished during the months of **January, 2019** to **SEARS HOLDINGS CORP SLS INC**, with regard to said project, said materials and/or labor having been furnished for improvements of that certain real property located in the **City of Garland, County of Dallas, Texas**, and described as follows:

Sears, 2775 West Miller Road  
City of Garland, County of Dallas, State of Texas  
PIN 26-51330-001-01R-0000  
See attached Legal Description-Exhibit A

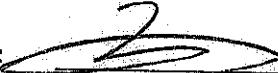
7. "That there remains due and unpaid to Claimant **Seven Thousand Nine Hundred Seventy-eight and 19/100 Dollars (\$7,978.19)**, which amount includes the total for materials and/or labor furnished."
8. "That the Claimant did furnish said materials for use upon the real property, buildings and improvements, being **engineering consulting**, (in accordance with the invoices and/or statement of account, copies of which are attached hereto.)"
9. "That all just payments, credits and offsets have been allowed."
10. "This Lien Claim for the above amount shown is upon the real property and the improvements described above."
11. "Preliminary Notice(s) was(were) sent via certified mail--return receipt requested to the owner(s) and prime contractor named herein on **January 10, 2019**; and a copy of this claim was also mailed to the owner(s) and prime contractor via certified mail--return receipt requested on April 16, 2019.

"I have read the foregoing Affidavit and every fact stated therein is true and correct."

**RYAD CONSULTING INC**

April 16, 2019

By:

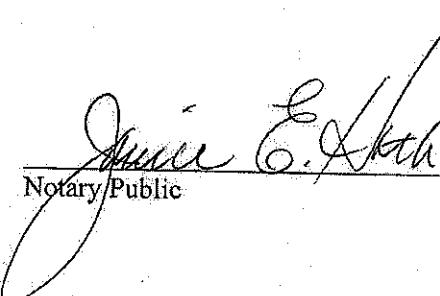
  
Michael C. Brown  
Authorized Agent

STATE OF OHIO  
COUNTY OF CUYAHOGA

SUBSCRIBED AND SWORN TO BEFORE ME, under my official hand and seal of office, this 16 April, 2019.



JANICE E. HOTH  
NOTARY PUBLIC  
STATE OF OHIO  
My Comm. Exp.  
October 1, 2022

  
Janice E. Hoth  
Notary Public

591506

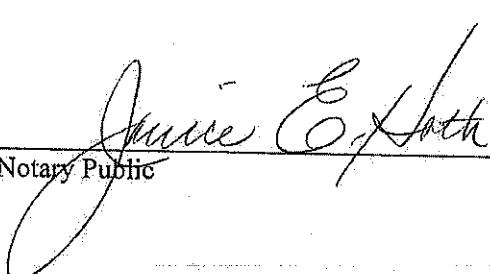
STATE OF OHIO  
COUNTY OF CUYAHOGA

BEFORE ME, the undersigned notary public, in and for said County and State, on this day personally appeared Michael C. Brown, Authorized Agent, for RYAD CONSULTING INC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said RYAD CONSULTING INC, an Ohio corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 16 April, 2019.



JANICE E. HOTH  
NOTARY PUBLIC  
STATE OF OHIO  
My Comm. Exp.  
October 1, 2022

  
Janice E. Hoth  
Notary Public

SCHEDULE A

Description of Land

Lot 1R, Block 1 of SEARS INDUSTRIAL DISTRICT, NO. 3 REPLAT, a replat of the remainder of Lot 1, Block 1, SEARS INDUSTRIAL DISTRICT, NO. 3, an addition to the City of Garland, Texas according to the Plat thereof recorded as cc# 200600272358, Real Property Records of Dallas County, Texas

~~RYAD CONSULTING INC.~~  
RYAD CONSULTING  
INC., JASPER, GA

**INVOICE**

**RYAD CONSULTING, INC.**  
10421 Big Canoe  
Jasper, GA 30143  
(770) 650-8468  
PEI: 34-1773796  
Vendor #: 102648  
RAV DUNS#: 423905

Invoice No.: 7025

Invoice Date: 01/10/19

Page: 1 of 1

**BILL TO:**

Sears Holdings Corp., SLS, Inc.  
3303 Beverly Road  
Dept: A3-259B  
Hoffman Estates, IL 60179  
ATTN: Mr. Mike Mackie

**Location:**

Unit # 45378  
DC-Warehouse  
Garland, TX  
**ROOFING REPAIRS**  
**SHLOG#**

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	Roof repairs completed week of January 7th on the Garland, TX facility, as requested by maintenance personnel. Repairs were completed, where required, on all roof levels.	\$7,978.19	

**THANK YOU!****PAYABLE UPON RECEIPT****TOTAL DUE:****\$7,978.19**

**RYAD CONSULTING, INC., CONSULTING ENGINEERS**

10421 Big Canoe, Jasper, GA 30143

Phone: 770-650-8468

[www.ryadconsulting.com](http://www.ryadconsulting.com)